

REMARKS

Claims 22-34 remain in the application. Claims 1-14 are cancelled. Please cancel withdrawn claims 15-21.

Claims 35-41 have been added.

The §112 issues have been addressed by amendment.

Claims 22, 24, 25, 27-30 were rejected under §102(b) as anticipated by Tilley.

Tilley discloses a holster with a retention pin that is released only when an electrical signal enables the release by a solenoid. The signal is provided by either a switch actuated by a magnet worn by the user, or a hidden manual slider switch. There is no mechanical interaction between either switch and the pin.

Claim 22 and its dependents should be allowable because claim 22 recites a "sliding actuator being mechanically interfaced with said retention pin." The action asserts that the switch 74 is a sliding actuator. However, other than being mounted to a common frame, it has no mechanical interface with the pin. Even if the common frame mounting were considered a mechanical interface, the claim has been amended to recite that the actuator mechanically contacts the pin to cause its movement. Because the cited reference lacks any mechanical causal connection as claimed, claim 22 should be allowable.

Claim 27 and its dependents should be allowable for the additional reason that the cited reference lacks a safety lock operable to prevent movement of the sliding actuator. The action cites switch 74 as an actuator, and pin 42 as a first safety lock. Yet the action points out nothing in the cited reference to suggest that the pin has any effect to prevent movement of switch 74.

Claim 28 should be allowable for the same reason as claim 27, in that the cited switch 74 is not prevented from movement by anything, let alone the claimed element. The reed switch 66 cited as a sliding element does not appear to have any sliding function, or ability to be moved.

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Claim 29 should be allowable for the additional reason that the cited reference lacks a remote facility that operates to release the first safety lock. The cited magnet worn by the user actuates a switch that directly releases the pin. The pin does not have the functions claimed in the rejection of claim 27, so the magnet lacks the claimed function.

Claim 30 should be allowable for the additional reason that the cited reference lacks means to identify the user. A magnet that can be worn by any user is not identification.

Claims 23 and 26 were rejected as obvious in view of the combination of Tilley and Baldocchi.

The rejection of claim 23 is in error first because neither reference discloses a wedge. Baldocchi is cited for having a sliding safety button 38. The button has a tapered end portion, but not a wedge in any functional sense. A wedge is defined as having a sloped, smooth surface to provide a mechanical advantage when interacting with another element. None of the functional surfaces of the button provide a wedge.

In addition, the button 38 simply provides a catch to restrain a pin, and provides no causation of the movement (which is provided by a spring in Baldocchi).

Further, the rejection is in error because there is no reason to believe that adopting the Baldocchi button 38 is an "improvement" for Tilley's switch 74. The shape of the button would have no apparent benefit to Tilley, and may in fact be disadvantageous if it makes the switch more readily operable by unauthorized bystanders.

The rejection is further in error because the asserted motivation to make the proposed modification (for the purpose of providing reliable and durable security capabilities) is inadequate. It appears to be an arbitrary and vague motivation having no connection to the significant features of either reference. Moreover, there is no suggestion that the combination actually provides these supposed benefits.

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The rejection of claim 26 is similarly in error, because the button 38 does not disclose a fork, because its adoption by Tilley would not provide any benefits, and because the asserted motivation is inadequate.

Claims 31-34 were rejected as obvious in view of the combination of Tilley and Beletsky. Beletsky discloses a strap that restrains a handgun in a holster, and with an element that prevents movement of the strap. Again, the motivation is inadequate because it is arbitrary and vague, with no logical connection to either reference. Moreover, there is no reason to believe that the strap of Beletsky could provide any benefits to Tilley, or even be operably adapted.

The rejection of claim 32 is in error because the element 104 cited as being operable to actuate pivoting of the strap is a rivet having no pivot motivation capability. Again, the motivation is inadequate because it is arbitrary and vague, with no logical connection to either reference. Why would a pivot motivator provide "snug security fitting"?

The rejection of claim 33 is in error because the cited snap member 108 and 110 are both on the same end of the strap, intended as mating portions of a single snap fastener. There is no evidence that there is a snap on the other end of the strap. Again, the motivation is inadequate because it is arbitrary and vague, with no logical connection to either reference.

The rejection of claim 34 is in error because the cited element is not shaped to release on downward movement of the hand. The cited passage discloses that the cited tab 108 needs to be pulled straight up, not downward. Again, the motivation is inadequate because it is arbitrary and vague, with no logical connection to either reference.

All pending claims should be allowable for the above reasons. Reconsideration of the application is respectfully requested.

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